

RHODE ISLAND RESOURCE RECOVERY CORPORATION

Business Meeting

Friday, January 14, 2005

65 Shun Pike

Johnston, RI 02919

12:00 P.M.

I. Attendance

A. Austin Ferland, Chairman

Michael Salvadore, Treasurer

Ken Aurecchia

Wayne Salisbury

John St. Sauveur

Jerry Williams

II. Staff Present

Sherry Mulhearn, Executive Director

James Allam, Deputy Executive Director

Bill Anderson, Engineering Manager

Dennis aRusso, Operations Manager

Claude Cote, Director of Regulatory Compliance

John Trevor, Recycling Manager

Joseph Judge, Chief Financial Officer

Paul Caccia, Waste Prevention Coordinator

Patrick Fingliss, MRF Business Manager

Kathleen Langton, Human Resource Manager

Sharon D'Angelo, Administrative Manager

Others Present

Armando Ricci, PARE

Michael Winters, PARE

Jennifer Tuttle, Sierra Club

III. Agenda Items

1. Call to Order

Chairman Ferland called the meeting to order at 12:06 p.m.

2. Minutes of Meeting

Wayne Salisbury made the following motion:

BE IT RESOLVED THAT THE READING OF THE MINUTES BE WAIVED AND FURTHER THAT THE MINUTES OF THE PREVIOUS MEETING OF THE OPEN SESSION HELD ON DECEMBER 14, 2004 BE ACCEPTED AND APPROVED AS PRESENTED TO EACH COMMISSIONER TODAY.

John St. Sauveur seconded the motion which passed unanimously.

3. Set the Next Meeting

A date for the next meeting has not been determined.

4. Contracts

a) Sorting Station – Dennis aRusso reported that a Request for Qualification/Request for Proposals was issued on November 1, 2004. Respondents were required to submit proposals for the supply, delivery, installation and operator training for a new sorting station to be used at the tipping facility. Following an evaluation of the proposals received, the Staff Evaluation Committee recommends awarding the contract to MCB Northeast of Hopkinton, MA.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE PURCHASE OF A NEW MCCOSKEY BROTHERS MODEL 8 MAN PICKING STATION (RFQ/RFP NO. 847) BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AND MCB NORTHEAST OF HOPKINTON, MA FOR AN AMOUNT NOT TO EXCEED \$149,886.00.

Jerry Williams seconded the motion which passed unanimously.

b) MRF Retrofit – Patrick Fingliss reported that a Request for Qualifications/Request for Proposals was issued on September 27, 2004. Vendors were required to submit qualification statements and proposals to provide design, construction, start-up, and acceptance testing for a complete retrofit of the mixed recyclables processing system. A pre-proposal conference and site visit was held on October 15, 2004 and proposals were received on November 3, 2004. Notice of solicitation appeared in the Providence Journal on September 27, 2004 and was sent to Dodge Reports and New England Construction News and was placed on the State’s electronic bulletin board. There were two responses. The staff evaluation committee recommends that a contract be entered into with Machinex Technologies, Inc.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH MACHINEX TECHNOLOGIES, INC. OF CHICAGO, ILLINOIS TO PROVIDE DESIGN, CONSTRUCTION, START-UP, AND ACCEPTANCE TESTING FOR A COMPLETE RETROFIT OF THE MIXED RECYCLABLE (BOTTLES AND CANS) PROCESSING SYSTEM AND OTHER SERVICES OUTLINED IN MACHINEX TECHNOLOGIES, INC. PROPOSAL DATED NOVEMBER 3, 2004 AND SUBSEQUENT

MACHINEX TECHNOLOGIES, INC. CORRESPONDENCE DATED DECEMBER 29, 2004 IN RESPONSE TO RFQ/RFP NO. 845, AS AMENDED, AND THE CORPORATION'S LETTER DATED DECEMBER 20, 2004 FOR AN AMOUNT NOT TO EXCEED \$2,771,045.

John St. Sauveur seconded the motion which passed unanimously.

Closeout

a) Areas 1A & 1B (Partial) RFQ/RFP Bo. 835 Phase V Area 1 Baseline Construction DiGregorio, Inc. – Bill Anderson reported that DiGregorio Corporation completed the Phase V Area 1A & 1B Baseline Construction Project within the scheduled deadline. In an effort to close out this portion of the project, there remain a few open issues to resolve. Specifically the unit price quantities need to be adjusted to reflect the surveyed payable quantities. A total contract increase of \$73,770.50 is requested to close-out this portion of the contract.

Michael Salvador stated that the Finance Subcommittee had reviewed this matter and therefore he made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO CLOSEOUT THE PHASE V AREA 1 BASELINE CONSTRUCTION CONTRACT, SPECIFICALLY AS IT RELATES TO

AREAS 1A AND 1B DATED FEBRUARY 1, 2004, WITH DIGREGORIO, INC. OF SMITHFIELD, RI FOR AN INCREASE OF \$73,770.50, FOR A TOTAL AMENDED CONTRACT PRICE OF \$10,547,883.65.

John St. Sauveur seconded the motion which passed unanimously.

Contract Increase

a) Sewer and Leachate Collection System Maintenance - Bill Anderson reported that on September 21, 2004 Phase V Area 1A was certified by RIDEM to allow the placement of trash to commence. This certification occurred 30 days after the cell was completed. Minor issues arose that needed immediate attention. A 4 inch rain event coupled with eroded landfill cover clogging the primary drainage sand caused a pond to form at the low point in this new cell. As trash could not be placed over the pond without the possibility of damaging the liner, special pumping and cleaning methods had to be undertaken to allow trash placement in the much needed cell. Additional services were needed as well.

Michael Salvadore stated that the Finance Subcommittee had reviewed this matter and therefore he made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO INCREASE THE CONTRACTUAL AMOUNT FOR THE

SEWER AND LEACHATE COLLECTION SYSTEM MAINTENANCE CONTRACT, DATED JUNE 12, 2002, WITH INLAND WATERS, INC. OF JOHNSTON, RI FOR AN INCREASE OF \$219,334.50 FOR A TOTAL AMENDED CONTRACT PRICE OF \$1,060,334.50.

John St. Sauveur seconded the motion which passed unanimously.

5. Recycling Grant Requests – John Trevor reported that he was seeking two grant proposals. One is a Municipal Grant and the second was submitted as part of the FY 2005 Recycling/Reuse Grants Programs for non-profit organizations. The Town of Tiverton is seeking funding for the implementation of curbside pay-as-you-throw program in the amount of \$75,000. The RI Marine Trades Association is seeking \$15,800 for a pilot project to recycle the shrink wrap that is used to protect pleasure boats stored over winter in Rhode Island marinas.

Jerry Williams made the following motion:

WHEREAS, THE SUPPORT FOR INITIATIVES BY MUNICIPALITIES AND NON-PROFIT ORGANIZATIONS THAT ENHANCE AND PROMOTE RECYCLING, ENVIRONMENTAL EDUCATION AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE STATE OF RHODE ISLAND WHEREAS THE SAME SUPPORT IS A PRIORITY FOR THE RHODE ISLAND RESOURCE RECOVERY CORPORATION THEREFORE; BE IT RESOLVED THAT THE BOARD OF

COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD GRANTS TO SUPPORT RECYCLING AND WASTE DIVERSION TO THE TOWN OF TIVERTON FOR \$75,000. PAYMENT OF GRANT WILL BE CONTINGENT ON THE COMMITMENT AND ADHERENCE TO THE PROGRAMS' AND THEIR REQUIREMENTS AS SET FORTH BY RIRRC.

John St. Sauveur seconded the motion which passed with a vote of 5 with Wayne Salisbury voting nay.

Michael Salvadore made the following motion:

WHEREAS, THE SUPPORT FOR INITIATIVES BY MUNICIPALITIES AND NONPROFIT ORGANIZATIONS THAT ENHANCE AND PROMOTE RECYCLING, ENVIRONMENTAL EDUCATION AND THE DIVERSION OF MATERIALS FROM DISPOSAL IS A PRIORITY FOR THE STATE OF RHODE ISLAND AND THE RHODE ISLAND RESOURCE RECOVERY CORPORATION, THEREFORE: BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD A GRANT TO SUPPORT RECYCLING AND WASTE DIVERSION TO THE RI MARINE TRADES ASSOCIATION OF \$15,800. PAYMENT OF GRANTS WILL BE CONTINGENT ON THE COMMITMENT AND ADHERENCE TO THE PROGRAMS' AND THEIR REQUIREMENTS AS SET FORTH BY RIRRC.

Ken Aurecchia seconded the motion which passed unanimously.

Michael Salvatore noted that Paul Caccia, Mike Mesolella, John Trevor and he had met with the Governor at the Boat Show and discussed an extensive Earth Day Cleanup Campaign. He mentioned the significant shrink wrap problem.

6. Hiring – Jim Allam reported that the Corporation was seeking to fill a Semi-Skilled Laborer position.

Michael Salvatore made the following motion:

WHEREAS, ON MAY 21, 1997, THE BOARD OF COMMISSIONERS ADOPTED A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO HIRE, TO TERMINATE, AND TO ESTABLISH COMPENSATION FOR EMPLOYEES OF THE CORPORATION; WHEREAS, THE EXECUTIVE DIRECTOR'S HIRINGS ARE TO BE REVIEWED AND APPROVED BY THE CHAIRMAN AND CEO AND RATIFIED BY THE BOARD; WHEREAS, AN ADVERTISEMENT WAS PLACED IN THE PROVIDENCE JOURNAL, FOR THE POSITION SEMI-SKILLED LABORER. A COPY OF THE ADVERTISEMENT HAS BEEN DISTRIBUTED TO THE BOARD OF COMMISSIONERS. AFTER A THOROUGH REVIEW OF ALL APPLICATIONS SUBMITTED FOR THE POSITION INTERVIEWS WERE HELD; WHEREAS, THE CHAIRMAN HAS APPROVED THE SELECTION OF THE NAMED INDIVIDUAL;

THEREFORE, THIS BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXTEND AN OFFER OF EMPLOYMENT TO THE RECOMMENDED INDIVIDUAL WHICH WILL BE SUBJECT TO HIS SATISFACTORILY PASSING A PRE-EMPLOYMENT PHYSICAL AND A BACKGROUND CHECK (BCI).

John St. Sauveur seconded the motion which passed unanimously.

Chairman Ferland opened the meeting to questions or comments. Sherry Mulhearn asked that the representatives from PARE Engineering to speak. Michael Winters from PARE explained the mistake that was made on the Phase V Landfill Area 1 Baseline construction. Mr. Winters explained that due to a GPS error in the final design grades the Corporation filled the areas approximately 1 to 1.5 feet higher than was needed. This GPS base station calibration has now been fixed. No such errors should occur in the future. To the extent RIRRC operations incurred additional expenses to redo work PARE will agree to perform services at no charge to compensate for the cost of that mistake.

7. Executive Session

John St. Sauveur made the following motion at 1:05 p.m.

THAT BY A ROLL CALL VOTE CALLED BY THE GENERAL COUNSEL, THIS BOARD OF COMMISSIONERS SHALL GO INTO EXECUTIVE SESSION CLOSED TO THE PUBLIC IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-4, UPON AN AFFIRMATIVE VOTE TO HOLD THIS PORTION OF THE MEETING CLOSED TO THE PUBLIC FOR THE FOLLOWING PURPOSES:

(A) (2) LITIGATION

(A) (5) ACQUISITION OR DISPOSITION OF REAL PROPERTY.

Ken Aurecchia seconded the motion which passed unanimously.

Michael Salvatore made the following motion at 1:14 p.m.:

THAT THE MINUTES OF THE EXECUTIVE SESSION BE SEALED INDEFINITELY OR WHERE APPROPRIATE UNTIL ALL MATTERS DISCUSSED ARE RESOLVED.

Jerry Williams seconded the motion which passed unanimously.

8. Other Business

John St. Sauveur made the following motion:

BE IT HEREBY RESOLVED THAT THIS BOARD OF COMMISSIONERS AUTHORIZE THE CHAIRMAN AND/OR THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A LICENSE AGREEMENT WITH

RECOVERMAT OF RHODE ISLAND, LLC WITHIN THE PARAMETERS OUTLINED IN EXECUTIVE SESSION.

Michael Salvatore seconded the motion which passed unanimously.

Joe Judge reported that Sitecon Corporation has requested that the Board consider their application for a Commercial Solid Waste Disposal Agreement.

Michael Salvatore stated that the Finance Subcommittee has reviewed this agreement and therefore he made the following motion:

BE IT HEREBY RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN AND/OR THE EXECUTIVE DIRECTOR TO EXECUTE A COMMERCIAL SOLID WASTE DISPOSAL AGREEMENT WITH SITECON CORPORATION.

John St. Sauveur seconded the motion which passed unanimously.

Ken Aurecchia made a motion to adjourn at 1:22 p.m. Jerry Williams seconded the motion which passed unanimously.

Sincerely,

Sherry Mulhearn

Executive Director

:spd